

FILED
MAR 30 2007

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION

JOHN F. CORCORAN, CLERK
BY: *[Signature]*
DEPUTY CLERK

JANICE V. TRAYNHAM,

Plaintiff,

v.

MICHAEL J. ASTRUE, Commissioner
of Social Security¹,

Defendant.

CASE NO. 4:06CV00041

REPORT AND RECOMMENDATION

By: B. Waugh Crigler
U. S. Magistrate Judge

Upon motion of the defendant and with the consent of the plaintiff, it is hereby

RECOMMENDED

that the case be remanded to the Commissioner under Sentence 4 of 42 U.S.C. § 405(g).

The Clerk is directed immediately to transmit the record in this case to the presiding United States District Judge. Both sides are reminded that pursuant to Rule 72(b) they are entitled to note objections, if any they may have, to this Report and Recommendation within ten (10) days hereof. Any adjudication of fact or conclusion of law rendered herein by the undersigned not specifically objected to within the period prescribed by law may become conclusive upon the parties. Failure to file specific objections pursuant to 28 U.S.C. § 636(b)(1)(C) as to factual recitations or findings as well as to the conclusions reached by the undersigned may be construed by any reviewing court as a waiver of such objection.

The Clerk of the Court hereby is directed to send a certified copy of this Report and Recommendation to all counsel of record.

ENTERED:

[Signature]
United States Magistrate Judge

3-30-07
Date

¹On February 12, 2007, Michael J. Astrue became the Commissioner of Social Security. In accordance with Rule 25(d)(1) of the Federal Rules of Civil Procedure, he should be substituted for Commissioner of Social Security as the defendant.